

# Goss ■ Samford PLLC



Attorneys at Law

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PUBLIC SERVICE  
COMMISSION

February 20, 2013

Mr. Jeff Derouen  
Executive Director  
Kentucky Public Service Commission  
P.O. Box 615  
211 Sower Boulevard  
Frankfort, KY 40602

Re: Case No. 2013-00046

Dear Mr. Derouen:

Please find enclosed for filing with the Commission in the above-referenced case an original and ten copies of East Kentucky Power Cooperative, Inc.'s Second Motion for Enlargement of Time.

Please contact me if you have any questions.

Very truly yours,

Mark David Goss  
Counsel

Enclosures

Cc: Counsels for the Parties

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

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**FEB 20 2013**

**PUBLIC SERVICE  
COMMISSION**

**IN THE MATTER OF:**

**EAST KENTUCKY POWER COOPERATIVE, INC.'S )  
MOTION FOR AN EXTENSION OF TIME TO FILE )  
AMENDMENTS TO SPECIAL CONTRACTS FOR ) 2013-00046  
INTERRUPTIBLE LOAD )**

**EAST KENTUCKY POWER COOPERATIVE, INC.'S  
SECOND MOTION FOR ENLARGEMENT OF TIME**

Comes now East Kentucky Power Cooperative, Inc. ("EKPC"), by and through counsel, and moves the Kentucky Public Service Commission ("Commission") to issue an Order approving a second enlargement of time up to and including April 30, 2013, by which EKPC must comply with Ordering paragraph 3 of the Commission's Order in Case No. 2012-00169 dated December 20, 2012.

In support of this Motion, EKPC states that the Commission entered its Order in Case No. 2012-00169 on December 20, 2012. Ordering paragraph 3 states: "EKPC shall file within 30 days of the date of this Order any appropriate or needed amendments to existing special contracts or tariffs to reflect that EKPC is authorized to bid any customer's interruptible load into the PJM Demand Response program." On January 18, 2013 EKPC filed a motion to extend the 30-day time period established by the Commission's December 20, 2012 Order to file amendments to existing interruptible load contracts. This additional time was requested to allow EKPC, Gallatin Steel ("Gallatin"), and Owen Electric Cooperative ("Owen Electric"), and, separately, to allow EKPC, Nolin Rural Electric Cooperative Corporation ("Nolin RECC"), and AGC Automotive Americas time to provide executed contracts to the Commission.

On February 4, 2013, Commission Staff provided EKPC a letter stating that a new docket and case number had been assigned for this motion.<sup>1</sup> On February 7, 2013, the Commission entered an Order granting an extension of time, through February 28, 2013, to file these amended contracts.

EKPC now requests a second enlargement of time, up to and including April 30, 2013, to file these amended contracts. EKPC requests this extension because in its original motion it did not consider that the EKPC Board of Directors and the Boards of Directors of Owen Electric, Nolin RECC, and the respective retail customers involved would need to review and formally approve these contract amendments. The amendments to these respective contracts are very close to being agreed upon and negotiations concluded. However, it will take at least through the March (and possibly April) board meeting cycle for each of the appropriate approvals to occur. Certainly, as soon as all approvals for each of these contracts are concluded, EKPC will immediately file same with the Commission. It is EKPC's hope that this can be accomplished even earlier than the April 30 deadline requested in this Motion.

WHEREFORE, EKPC respectfully requests that the Commission grant EKPC's Second Motion for Enlargement of Time to provide the amended contracts required by the Commission's Order dated December 20, 2012 in Case No. 2012-00169 up to and including April 30, 2013.

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<sup>1</sup> Case No. 2013-00046, East Kentucky Power Cooperative, Inc.'s Motion for an Extension of Time to File Amendments to Special Contracts for Interruptible Load

Dated this 20<sup>th</sup> day of February, 2013.

A handwritten signature in black ink that reads "Mark David Goss" followed by a stylized flourish.

Mark David Goss  
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*Counsel for East Kentucky Power Cooperative, Inc.*

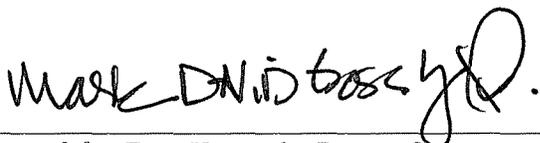
**CERTIFICATE OF SERVICE**

This will certify that a true and correct copy of the foregoing was served, by depositing same in the custody and care of the U.S. Mail, postage pre-paid, on this 20th day of February 2013, addressed to the following:

Honorable James M. Crawford  
P.O. Box 353  
Carrollton, KY 41008

Honorable Michael L. Kurtz  
Boehm, Kurtz & Lowry  
36 East Seventh Street  
Suite 1510  
Cincinnati, OH 45202

Honorable John J. Scott  
P.O. Box 389  
Elizabethtown, KY 42702



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*Counsel for East Kentucky Power Cooperative, Inc.*